IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(C).No. 6239 of 2007(P)

PETITIONER:

C.L. CHACKO, S/O.LONAPPAN,
AGED 49 YEARS, CHALAKKAL HOUSE,
KANDASSAMKADAVU P.O., KARAMUKKU, THRISSUR,
LICENSEE T.S.NO.18/2006-07,
CHATHANGOTTUPURAM, MALAPPURAM.

BY ADV. SRI.SHAJI P.CHALY

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY HOME, SECRETARIAT, THIRUVANANTHAPURAM.

2. SUPERINTENDENT OF POLICE, MALAPPURAM.

3. THE DEPUTY SUPERINTENDENT OF POLICE,
PERINTHALMANNA, MALAPPURAM DISTRICT.

4. THE CIRCLE INSPECTOR OF POLICE,
VANDOOR POLICE STATION, MALAPPURAM.

5. SUB INSPECTOR OF POLICE,
VANDOOR POLICE STATION, MALAPPURAM.

6. P.K. BALAKRISHNAN, S/O.RAVUNNI NAIR,
SURABHI, CHERIPARAMBU, CHATHANGOTTUPURAM.

7. V.M. KUNJUMOIDEEN HAJI,
S/O.MOOSA HAJI, VELLOORMADATHIL,
CHERIPARAMBU, CHATHANGOTTUPURAM.

8. P. BHASKARAN, S/O.KUTTIKRISHNAN NAIR,
KRISHNAKRIPA, CHERIPARAMBU,
CHATHANGOTTUPURAM P.O.,
VIA. WANDOOR, MALAPPURAM DISTRICT.

9. COMMISSIONER OF EXCISE,
THIRUVANANTHAPURAM.

BY ADV. SRI.P.VIJAYAKUMAR
R1 to 5 BY GP SHRI P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.6239/2007 - APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 - TRUE COPY OF ABKARI LICENCE IN TODDY SHOP T.S.NO.18/06-07 HAVING LICENCE NO.M 205/06-07

EXT.P2 - TRUE COPY OF INTERIM ORDER PASSED IN WPC NO.26646/06 DATED 5.12.2006.

EXT.P3 - TRUE COPY OF JUDGMENT IN WPC NO.26642/2006 DATED 12.12.2006

EXT.P4 - TRUE COPY OF ORDER PASSED BY THE 9TH RESPONDENT.

EXT.P5 - TRUE COPY OF COMPLAINT FILED BY THE PETITONER TO THE RESPONDENTS.

RESPONDENTS' EXHIBITS:

EXT.R6(A)- TRUE COPY OF COMMUNICATION DT. 29.12.2005 ISSUED BY THE DISTRICT COLLECTOR.

EXT.R6(B)- TRUE COPIES OF NEWSPAPER REPORTS.
& (C)

EXT.R6(D)- TRUE COPY OF COMMON JUDGMENT DATED 29.3.2006

EXT.R6(E)- TRUE COPY OF COMMUNICATION DT. 9.6.2006 ISSUED BY THE DISTRICT COLLECTOR.

EXT.R6(F)- TRUE COPY OF CERTIFICATE BY DISTRICT PLANNING OFFICER, MALAPPURAM.

EXT.R6(G)- TRUE COPY OF REPORT ISSUED BY PARUR GRAMA PANCHAYAT GIVEN BEFORE EXCISE COMMISSIONER.

EXT.R6(H)- TRUE COYP OF REPRESENTATION DATED 19.8.2006

EXT.R6(I)- TRUE COPY OF MASS REPRESENTATION DATED 18.10.2006 SUBMITTED BEFORE THE DISTRICT COLLECTOR.

EXT.R6(J)- TRUE COYP OF NEWSPAPER REPORT.

EXT.R6(K)- TRUE COPY OF RESOLUTION OF PORUR GRAMA PANCHAYAT DT.28.2.07

(TRUE COPY)

VAA PS TO JUDGE

J.B. KOSHY and T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) No.6239 of 2007 P

Dated this the 2nd day of April, 2007

Judgment

Koshy, J.

This is a petition for police protection for conducting a toddy shop. It is submitted that so far petitioner is not granted licence.

Without prejudice to the rights of the parties in approaching the court as and when necessary, this writ petition is disposed of.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

vaa

J.B. KOSHY AND
T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) No.6239/2007 P

Judgment

Dated:2nd April, 2007